

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GARY DALE BARGER,
Plaintiff,

v.

BARNES, et al.,
Defendants.


Case No. [14-cv-05467-WHO](#) (PR)

ORDER OF DISMISSAL

Plaintiff Gary Dale Barger has failed to comply with the Court's order to (1) file an application to proceed *in forma pauperis* ("IFP"), or (2) pay the full filing fee of \$400.00. Accordingly, the action is DISMISSED without prejudice for failing to respond to the Court's order, and for failure to prosecute, *see* Fed. R. Civ. P. 41(b). Because this dismissal is without prejudice, Barger may move to reopen the action. Any such motion must contain a complete IFP application or full payment for the \$400.00 filing fee. The Clerk shall enter judgment in favor of defendants, and close the file.

IT IS SO ORDERED.

Dated: January 29, 2015


WILLIAM H. ORRICK
United States District Judge